

Tape 21
Side A, 0- 2

19 JUL 1979

25X1

MEMORANDUM FOR:

[REDACTED]

FROM: DCI

SUBJECT: Georgie Anne Geyer Article

1. After my marked up version of paragraph 2, I suggest that we try to prove the points ⁵ ~~you~~ ^{we} make in the first sentence of paragraph 2. The first one is that our society cannot be made more open by FOIA. Perhaps we could take paragraph 3 and say something like, rather than opening our society, the Freedom of Information Act with respect to intelligence often leaves the citizen frustration ^{and} ~~or~~ disappointment. This is because, ^{live} despite our most sincere efforts to look up to the spirit as well as the letter of the law, we simply are unable to satisfy most requests for information. This is not at all an unwillingness to do so, but a requirement to comply with other laws which require the protection of our nation's secrets. The most important of those secrets concern how we gain access to intelligence information necessary for the conduct of our nation's foreign policy. Clearly if ^{the} ~~2~~ through the Freedom of Information Act we release data on/technical techniques which we employ or the human beings who supply us information, we will find neither type of source ^{is} ~~^~~ likely to be available to us much longer. Clearly the newspaper writers of our country understand this. Witness the number of reporters who have been willing to go to jail rather than to release information about their sources of information.

2. The next paragraph could pick up the point about making the government more responsive and possibly build on the first sentence of the second page. ^{rest of the}

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Instead, we can try to make a case here that because of their inherent requirement for secrecy, ~~intelligence/agencies~~ ^{intell} it is neither desirable nor effective to make intelligence agencies responsive to the people as a whole. We have made tremendous progress in the past four years in making intelligence responsive to the people through their elected and appointed government officials. We could then give a little sermon on oversight and accountability.

3. We could then turn to whether FOIA makes our nation stronger ^{and assert} ~~what is~~ ^{Our search looks} in the second paragraph on page 2 that in fact FOIA has a disadvantage of creating an erroneous perception that secrets cannot be held. Thus, quite separate from the facts of the case, we are likely to lose sources of information simply because of this perception. We could pick it up then with allied intelligence agencies.

4. I'm afraid I'm not enamored of the last paragraph on page 2 and page 3 with the detailed descriptions of the Privacy Act and the Executive Order. It doesn't seem to me these are of great interest to the average reader, not many of whom worry about that difference or have occasion to go get things ^{from} ~~from~~ Presidential libraries. I think here we could turn instead to some examples of the absurd position in

FOIA
which the ~~Freedom of Information~~ type ^a Acts place us. One is what you state at the very bottom of page 2 that any U.S. citizen can cast a wide net to find information about himself. Another would be that we're required, I believe, to answer ~~a~~ request^s from anyone, not just U.S. citizens. We have actually had a request (I believe) from the Polish Embassy.

5. We certainly can use the material on page 4 about Agee and others. I wonder if we can't hit them a little harder. Agee has avowed to try to destroy the Central Intelligence Agency, which is an established arm of the government authorized by the Congress and supported by the people, and yet the people have to pay for five and one-half ^{a duty} many years of effort to help him undo ~~the~~ ^a Constituted organ of the government. I would then also question whether we should spend the taxpayers' money to help high school civics teachers teach their students.

6. Some of the last paragraph fits in where I mentioned before ~~that~~ we should discuss oversight and accountability. I think, however, we can be a little more elementary and expansive with respect to things like the oversight committees. The average person who reads this won't know much about that.

7. I wonder if we then should not end up by stating that I support the concept of the Act but believe its scope should be narrowed so as not to cost the taxpayers so much for so little return to the public, and so as not to generate threat to our security of the perception of an inability of the country to keep secrets. We could even say something about the proposed legislation if that's within the ground rules.

8. Overall, I'm impressed by the reactions to the "Prime Time" show. The public was indignant when they saw how ludicrous it was to

tolerate people like the Covert Action crowd and think we could get to them here even more when we can say that the public is paying for people like that to operate.

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